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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order prescribes minimum sizes for the landing of edible crabs (*Cancer pagurus*) in certain areas in England (article 3(1)). There is an exemption from the minimum landing size for the landing of edible crabs from foreign fishing boats (article 3(2)), but the Order does not affect minimum sizes for the landing of edible crabs in areas of England and in Northern Ireland generally prescribed by article 19.1 of Council Regulation (EC) No 850/98 (OJ No L125, 27.4.1998, p. 1) for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms (“the Council Regulation”).

The Order also prohibits the landing in England or Northern Ireland by relevant British fishing boats or Scottish fishing boats of edible crabs which have not attained a size of 130 mm and have been caught in any waters within British fishery limits which are outside the Eastern Sea Fisheries District (article 4).

The Order also gives British sea-fishery officers further enforcement powers in relation to British fishing boats (article 5).

Offences and penalties are prescribed respectively by sections 1(7) and 6(5), and section 11, of the Sea Fish (Conservation) Act 1967, as amended by the Fisheries Act 1981 and the Criminal Justice Act 1991 (c. 53).

This Order revokes the Undersized Crabs Order 1986 and the Undersized Crabs (Variation) Order 1989, except in so far as they form part of the law of Scotland or apply in relation to Wales.

This Order is made in reliance on Article 46.1 of the Council Regulation, which authorises Member States to take certain national measures for the conservation and management of stocks.

A Regulatory Impact Assessment has been prepared and placed in the library of each House of Parliament. Copies can be obtained from the Sea Fisheries Conservation Division of the Ministry of Agriculture, Fisheries and Food, Room 421d, Nobel House, 17 Smith Square, London SW1P 3JR.

**Changes to legislation:**

There are currently no known outstanding effects for the The Undersized Edible Crabs Order 2000.